



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address : COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
---------------	-------------	----------------------	---------------------

07/702,939 05/20/91 CAMPANA

T 780.29643X00

EXAMINER

OEHLING, G

ART UNIT	PAPER NUMBER
----------	--------------

2614

DATE MAILED: 01/11/93

HENDERSON & STURM
1747 PENNSYLVANIA AVE, N.W., STE. 701
WASHINGTON, D.C. 20006

ATTN: WILLIAM H. WRIGHT

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-85 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.

3. ☐ Claims _____ are allowed.

4. ☒ Claims 1, 3, 4, 7, 9, 10, 13-18, 24-33, 44, 50 and 58-71 are rejected.

5. ☒ Claims 2, 5, 6, 8, 11, 12, 19-23, 34, 43, 51, 57 and 77-85 are objected to.

6. ☐ Claims _____ are subject to restriction or election requirement.

7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved. ☐ disapproved (see explanation).

12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION

Art Unit 2614

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

2. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

3. Claims 1 and 13 are rejected under 35 U.S.C. § 103 as being unpatentable over the prior art electronic mail system disclosed by applicant in figure 1 in view of Tsukamoto et al.

The prior art electronic mail system disclosed by the applicant in figure 1 constitutes the subject matter claimed in claim 1 except for the use of a RF transmission network within the e-mail system. Tsukamoto et al teach the use of a RF transmission network to communicate data from an originating processor to a destination processor. With the knowledge

Art Unit 2614

provided by Tsukamoto, it would have been obvious to one of ordinary skill in the art to utilize the RF transmission in the prior art e-mail system to transfer messages from the originating processor to the destination processor via radio transmission within a single e-mail system.

Furthermore, it is inherent with the combination that there be an interface switch coupled between the gateway switch and RF network to allow the message to be transferred to the RF network.

In addition, an interface switch (communication controller) receives information from the processor and adds an identification address to select the proper base station (RF transmission) for transmission of information to the RF receiver. (See col. 7, line 60 to col. 10, line 8 for a complete description).

With regard to claim 13, it is inherent that an RF receiver be connected to the destination processor in order to transfer the information sent from the origination processor to the destination processor (i.e. to enable the final destination to receive the message intended for it) and further that the originating processor functions also as a destination processor in order to receive feedback information from the information it originally sent.

4. Claims 3, 4, and 14-18, 24-33, 44-50, and 58-71 are rejected under 35 U.S.C. § 103 as being unpatentable over the prior art e-

Art Unit 2614

mail system disclosed by applicant in fig. 1 in view of Tsukamoto et al as applied to claim 1 above, and further in view of Andros et al.

Consider claim 3. The combination fails to teach the assembling of messages from a plurality of processors into a packet and subsequently transmitting the packet to the RF transmission network. However, Andros et al in a paging network teach to packetize and transmit a plurality of messages along with their associated identification codes to a receiving switch. With the teaching provided by Andros et al, it would have been obvious to one of ordinary skill in the art to utilize the information packet technique in the combination to avoid the transmission of each message individually thus providing an efficient transmission system.

In addition, with consideration to claim 4, it is inherent that once the information packet is received at the receiving point, the packet is disassembled and each piece of information is transmitted to the destination processor that corresponds with each identification code.

With consideration to claims 14-18, 24-33, 44-50 and 58-71, it is fully disclosed by Andros et al that the address or identification number of the receiving point is added to the message being transmitted (see figure 3, items 66 and 78). Further, claiming the identification code is added at different

Art Unit 2614

switches would have been obvious since this is a matter of relocating parts thus lacking any criticality or showing by applicant and does not lend itself to be patentably distinct.

In addition, specifically regarding claims 44, 46, 48-50, 58, 60, 62-65, 67, and 69-71, it is disclosed in Andros et al (column 16, lines 18-39) that an identification code is referenced in a switch memory and a corresponding address is added to the message to route the message to its final destination.

Thus, it is inherent to reference and add the necessary identification codes to the message in order for the message to reach the destination the message is intended for.

5. Claim 7 is rejected under 35 U.S.C. § 103 as being unpatentable over the prior art e-mail system disclosed by applicant in figure 1 in view of Tsukamoto et al as applied to claim 1 above, and further in view of Taub et al.

Consider claim 7. The combination (stated above) fails to teach the transmission of information through a public switched telephone network without transmission by the RF transmission network. However, Taub et al teach for information to be transmitted to a destination via a telephone line, see col. 7, lines 24-27, as opposed to the alternate means of communication. It would therefore have been obvious to one of ordinary skill in the art to utilize the teaching of Taub et al in the combination

Art Unit 2614

in order to transmit information through a PSTN as opposed to the alternate form of communication between the origination and destination points.

6. Claims 9 and 10 are rejected under 35 U.S.C. § 103 as being unpatentable over the prior art e-mail system disclosed by applicant in figure 1 in view of Tsukamoto et al and Andros et al as applied to claims 3 and 4 above, and further in view of Taub et al.

The rejection of claims 9 and 10 are similar to the rejection of claim 7 presented in paragraph 5 of this office action.

7. Claims 2, 5, 6, 8, 11, 12, 19-23, 34-43, 51-57, and 72-85 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The above mentioned claims are objected to since the prior art of record fails to teach removing information utilized by an e-mail system before information utilized by the RF network is added to the message.

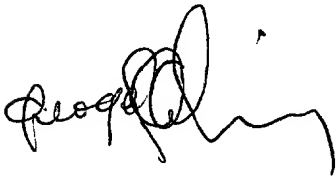
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Oehling whose telephone number is (703) 305-4760.

Serial No. 702,939

-7-

Art Unit 2614

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.



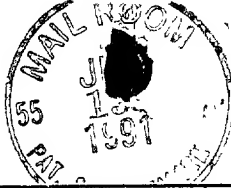
G. Oehling:tlr
January 07, 1993

RECEIVED



CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
GROUP 2600

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
07/702,939	05/20/91	261	\$1,930.00	780.29643X00	12	85	1

DES

ANTONELLI, TERRY, STOUT & KRAUS
1919 PENNSYLVANIA AVE., NW, SUITE 600
WASHINGTON, DC 20006

Receipt is acknowledged of the patent application identified herein. It will be considered in its order and you will be notified as to the examination thereof. Be sure to give the U.S. SERIAL NUMBER, DATE OF FILING, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this transmittal.

Applicant(s)

THOMAS J. CAMPANA JR., CHICAGO, IL; MICHAEL P. PONSCHKE,
LOCKPORT, IL; GARY F. THELEN, PALOS PARK, IL.

FOREIGN FILING LICENSE GRANTED 06/25/91

TITLE

ELECTRONIC MAIL SYSTEM WITH RF COMMUNICATIONS TO MOBILE PROCESSORS

PRELIMINARY CLASS: 379

RECEIVED

JUN 4 1991

GROUP 260

(see reverse)